

1 Minutes of the
2 Bountiful City Council Meeting
3 City Council Chambers
4 October 13, 2009 - 7:00 p.m.
5

6 Present: Mayor: Joe L. Johnson
7 Council Members: Beth Holbrook, John Marc Knight, Scott
8 Myers and Thomas Tolman
9 City Manager: Tom Hardy
10 City Attorney Russell Mahan
11 City Engineer: Paul Rowland
12 City Recorder: Kim J. Coleman
13 Department Reps: Tom Ross, Police
14 Jerry Wilson, Parks/Recreation
15 Recording Secretary Nancy Lawrence
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17 Excused: Councilman: R. Fred Moss
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19 Official Notice of this meeting had been given by posting a written notice of same and an
20 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
21 Davis County Clipper, Deseret News, and Salt Lake Tribune and on the Utah Public Notice
22 Website.
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24 Mayor Johnson called the meeting to order at 7:00 p.m, following which Michele Jenkins,
25 visiting Boy Scout from Troop 733, led the pledge of allegiance to the flag. Mr. Coleman
26 offered the prayer/thought.
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28 **APPROVAL OF MINUTES**

29 Minutes of the City Council meeting held September 22, 2009 were presented and
30 unanimously approved as written. Councilman Knight motioned for approval, Councilwoman
31 Holbrook seconded the motion and voting was unanimous in the affirmative. Councilpersons
32 Holbrook, Knight, Myers and Tolman voted "aye".
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34 **EXPENDITURES AND EXPENSES APPROVED**

35 Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000
36 for the following periods, with respective totals: September 10 - 16, 2009 (\$878,411.57)
37 September 17-25, 2009 (\$806,114.98); and the Summary of August, 2009 totaling
38 \$4,127,532.63. The staff responded to questions, following which Councilman Myers made a
39 motion to approve the two reports, as presented. Councilman Tolman seconded the motion
40 which carried unanimously. Councilpersons Knight, Holbrook, Myers and Tolman voted "aye".
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42 **YOUTH COUNCIL REPORT**

43 Annie Leishman and Megan Fowers were in attendance to report activities of the Youth
44 Council. Megan said that the Youth Council will assist the BDAC as hosts/hostesses for the

1 concert given by the Three Sopranos on October 23rd. The annual Pumpkin Patch fund raiser will
2 be held on October 30th, featuring several activities, including pumpkin carving, face painting,
3 and bounce houses.

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5 Annie reported that the Youth Council will assist with promoting the Bar J Wrangler
6 concert which is being co-sponsored by the Bountiful Community Service Council. They will
7 also participate in the City's light parade on December 4th.

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9 **BID APPROVED FOR 900 EAST STORM DRAIN**
10 **OUTLET REPLACEMENT**

11 Mr. Rowland reviewed that the spring runoff has taken a toll on the storm drain structure
12 which collects water from the 900 East/San Simeon area on the west side of the golf course. It is
13 the staff recommendation that this structure be replaced and that work be done to improve the
14 stream bed and minimize the erosion caused by the storm water. He reported that bids were
15 requested and seven vendors responded. It is the recommendation of staff to accept the low bid
16 from Bowen Construction in the amount of \$19,929.00. (The engineer's estimate was
17 \$28,000.00.) Mr. Rowland stated the the City has worked with Bowen in the past and found
18 them good to work with. Following discussion regarding the project, Councilwoman Holbrook
19 motioned to award the bid to Bowen Construction, as recommended. Councilman Knight
20 seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Myers and
21 Tolman voted "aye".

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23 **ORD NO. 2009-08 CONCERNING APPEAL BOARD AND**
24 **RES. NO. 2009-10 RE: AMENDMENT OF POLICIES/PROCEDURES**
25 **MANUAL ADOPTED**

26 Mr. Mahan explained that the City is required to have an Appeal Board to handle
27 employee appeals and he reviewed proposed changes to the Appeal Board, including membership
28 of an impartial hearing officer rather than the City Council representative. Ordinance No. 2009-
29 08 entitled "AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE CONCERNING THE APPEAL
30 BOARD" incorporates that change and he recommended that it be adopted.

31
32 Mr. Mahan also suggested that Resolution No. 2009-10, entitled "A RESOLUTION
33 AMENDING THE BOUNTIFUL POLICIES & PROCEDURES MANUAL", be adopted to clarify the appeal
34 process, as it relates to Section 600 - Disciplinary Action, and he reviewed the proposed changes.
35 Following discussion, Councilman Tolman made a motion to adopt Ordinance No. 2009-08 and
36 Resolution No. 2009-10, as presented and recommended. Councilman Myers seconded the
37 motion which carried unanimously. Councilpersons Holbrook, Knight, Myers and Tolman voted
38 "aye".

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40 **RES. NO. 2009-11 APPROVED AUTHORIZING ISSUANCE**
41 **& SALE OF SALES TAX REVENUE REFUNDING BONDS**

42 Mr. Hardy reviewed that he has consulted with Jason Burningham from Lewis Young
43 Robertson & Burningham, Inc. and with respect to current financial conditions, it is
44 recommended that the City refinance the bonds currently issued for Special Improvement District
45 No. 2002-1 – the Renaissance Town Center – for the purpose of achieving a debt service

1 savings. He then reviewed Resolution No. 2009-11 (full written text included) entitled, "A
2 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOUNTIFUL, UTAH (THE "ISSUER"),
3 AUTHORIZING THE ISSUANCE AND SALE OF THE ISSUER'S SALES TAX REVENUE REFUNDING BONDS,
4 SERIES 2009 (THE "SERIES 2009 BONDS"); FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT
5 OF THE SERIES 2009 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2009
6 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2009 BONDS MAY BEAR,
7 AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2009 BONDS MAY BE SOLD;
8 PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED;
9 PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; PROVIDING FOR A PLEDGE OF SALES TAX
10 REVENUES FOR REPAYMENT OF THE SERIES 2009 BONDS; AND RELATED MATTERS. Following
11 discussion, Councilman Myers made a motion to adopt Resolution No. 2009-11 and authorize
12 the Mayor to sign it. Councilman Knight seconded the motion which carried unanimously.
13 Councilmembers Holbrook, Knight, Myers and Tolman voted "aye". The public hearing for this
14 resolution will be November 10, 2009.
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16 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY**
17 **APPROVED TO REPAIR MILL CREEK CHANNEL**

18 _____ Mr. Rowland explained that last winter a 50-ft. long section of channel wall along Mill
19 Creek on the south side of Mueller Park Road failed and started to lean into the creek. This
20 section of channel is at the back of the sidewalk, which then started to settle into the hole behind
21 the wall. When the sidewalk settled, the curb and gutter followed and a major problem resulted.
22 The creek channels are part of the County storm water system, resulting in the required repairs
23 being a joint project between the City and the County. It is expedient that the work be done now
24 while the water is at its lowest flow of the season. Since the City already has JMR Construction
25 under contract, Davis County has asked if we (the City) could have JMR do the work and the
26 County will reimburse us for the expense. He has spoken with JMR who estimated the cost at
27 \$18,330.00 and the County has agreed to this amount. It is the staff recommendation to enter
28 into the Interlocal Agreement with Davis County, as explained, and authorize the Mayor to sign
29 on behalf of the City. Councilman Knight made a motion to this effect, Councilwoman
30 Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight,
31 Myers and Tolman voted "aye".
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33 **COUNCIL COMMITTEE REPORTS**

34 Councilwoman Holbrook reviewed that the Bountiful Community Service Council is
35 helping sponsor a concert (The Three Sopranos) at the Bountiful Davis Art Center on October
36 23rd. There will also be a silent auction in conjunction with the concert. Other upcoming events
37 supported by the BCSC include the performance of the Bar J Wranglers at Woods Cross High
38 School on December 2nd, and the Bountiful City Christmas Light Parade and festivities on
39 December 4th.
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41 Councilman Tolman reported that the Family Connection Center will assist in sponsoring
42 a fund raiser on December 5th featuring pictures with Santa. More information on this will be in
43 the newsletter. He also took opportunity to welcome the visiting Boy Scout troop and their
44 leader (his son).
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1 The meeting adjourned at 7:38 p.m. on a motion made by Councilman Tolman and
2 seconded by Councilwoman Holbrook. Voting was unanimous with Councilpersons Holbrook,
3 Knight, Myers and Tolman voting “aye”.
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JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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